

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

INDICTMENT

- v. -

08 Cr. _____

ALBERT ATTOH,

Defendant.

08 CRIM 733

COUNT ONE

The Grand Jury charges:

1. From in or about October 2003 up to and including in or about September 2007, in the Southern District of New York and elsewhere, ALBERT ATTOH, the defendant, unlawfully, willfully and knowingly, did execute and attempt to execute a scheme and artifice to defraud a financial institution, and to obtain moneys, funds, credits, assets, securities and other property owned by, and under the custody and control of, a financial institution, by means of false and fraudulent pretenses, representations and promises, to wit, ATTOH fraudulently obtained funds to which he was not entitled from a bank account in the name of the New York City Department of Education at JP Morgan Chase Bank (the "NYCDOE Account") by (1) causing funds to be removed from the account by himself and others by falsely

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representing that ATTOH was the rightful owner of the funds in the NYCDOE Account; and (2) presenting a fraudulent check purportedly drawn on the NYCDOE Account.

(Title 18, United States Code, Sections 1344 & 2.)

FORFEITURE ALLEGATION

2. As a result of committing the offense alleged in Count One of this Indictment, ALBERT ATTOH, the defendant, shall forfeit to the United States pursuant to 18 U.S.C.

§ 982(a)(2)(A), any property constituting or derived from proceeds obtained directly or indirectly as a result of the offenses charged in Count One.

Substitute Asset Provision

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

(i) cannot be located upon the exercise of due diligence;

(ii) has been transferred or sold to, or deposited with, a third person;

(iii) has been placed beyond the jurisdiction of the Court;

(iv) has been substantially diminished in value; or

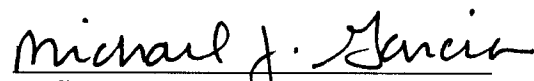
(v) has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the

United States, pursuant to 18 U.S.C. § 982(b), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982(a)(2)(A) and
Title 18, United States Code, Section 1344.)



FOREPERSON



MICHAEL J. GARCIA
United States Attorney

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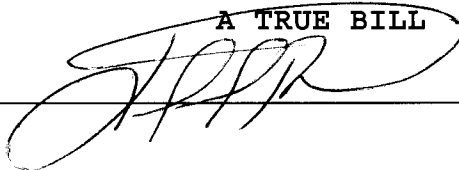
08 Cr.

(18 U.S.C. §§ 1344 & 2)

MICHAEL J. GARCIA

United States Attorney.

A TRUE BILL



Foreperson.

3/7/08
Plt Ind Post 11-1-82
This case is assigned to
Judge Moore for all purposes.

My Judge Moore